



WESTFIELD-WASHINGTON  
ADVISORY PLAN COMMISSION

June 15, 2015  
1506-DDP-09

**Petition Number:** 1506-DP-09

**Subject Site Address:** SEC of 146<sup>th</sup> Street and Oak Ridge Road

**Petitioner:** AT&T Mobility by Bingham Greenebaum Doll LLP

**Request:** Development Plan approval of a new wireless communication service facility.

**Current Zoning:** SF-2

**Current Land Use:** Vacant/Utilities

**Approximate Acreage:** 0.9 acre+/-

**Zoning History:** 1505-VU-05 – Variance of Use, *Approved 05/12/15*  
1505-VS-07 – Setback Reduction Variance, *Approved 05/12/15*

**Exhibits:**

1. Staff Report
2. Location Map
3. Site Plan
4. Elevations
5. Landscaping Plan
6. Commitment regarding Flag

**Staff Reviewer:** Kevin M. Todd, AICP

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**PROCEDURAL**

Approval of a Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

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**PROJECT OVERVIEW**

**Property Location**

The subject property is approximately 0.9 acre +/- in size is located near the southeast corner of Oak Ridge Road and a realigned portion of 146<sup>th</sup> Street (the "Property"). The property is located within the City of Westfield and Washington Township. The Property is zoned Single Family-2 (SF-2). Adjacent property to the north (across 146<sup>th</sup> Street) and west is zoned SF-2. Property to the east is public right-of-way (146<sup>th</sup> Street) because the roadway curves, and there is no nearby/adjacent private property to the east. Property to the south is within the City of Carmel's jurisdiction, and is currently an institutional use (athletic fields for Our Lady of Mt. Carmel School and Church).



### **Project Description**

In order to provide a certain level of wireless communication service within this area of Westfield, new antenna equipment is needed. There are no existing nearby co-location options, so a new tower would be needed in order to install new equipment. The proposal is to install a new 120 feet tall wireless communication tower and ancillary equipment building(s) on the Property. As proposed, the tower would be designed to appear as a flag pole, and is referred to as a "stealth pole". Proposed access to the Property would be from an existing access drive off of Oak Ridge Road via an access easement. The proposal includes an equipment building would be approximately 275 square-feet in area. The proposal indicates fencing and landscaping would be installed around the perimeter of the wireless communication lease site.

### **Project History**

Wireless Communication Service Facilities are not permitted by-right within the SF-2 zoning classification. On May 12, 2015, the Board of Zoning Appeals approved the petitioner's request to allow a Wireless Communication Service Facility on the Property (BZA Case No. 1505-VU-05) and a request to reduce the northern and southern setbacks to 65 feet and 75 feet, respectively. The variances were approved with the following conditions:

1. That the installed tower be substantially similar to what is depicted in Exhibit 4 [of the BZA packet]; and,
2. That any building constructed on the Property be completely screened from view on all sides by evergreen trees that are a minimum of eight (8) feet in height at installation and are spaced in a manner that creates a complete visual screen.

### **Changes since the Public Hearing**

Since the public hearing, and in response to comments made at the June 1, 2015 APC meeting, the petitioner has committed to fly a flag on the stealth pole (see **Exhibit 6**). This commitment is above and beyond the requirements of the UDO for a wireless communication facility.

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## **WESTFIELD UNIFIED DEVELOPMENT ORDINANCE**

### **Zoning Districts (Chapter 4)**

#### **SF-2 District (Article 4.5)**

##### **1. Permitted Uses**

Wireless Communication Service Facility, per Variance of Use 1505-VU-05 (approved 05/12/15)

**Comment: COMPLIANT**

##### **2. Minimum Lot Area = 3 acres**

**Comment: COMPLIANT (legally established, non-conforming lot)**



3. Minimum Lot Frontage = 250 feet

**Comment: COMPLIANT**

4. Minimum Building Setback Lines

- a. Front Yard = 100 feet

**Comment: Not Applicable. Superseded by Wireless Communication Service Facility Standards.**

- b. Side Yard = 30 feet

**Comment: Not Applicable. Superseded by Wireless Communication Service Facility Standards.**

- c. Rear Yard = 30 feet

**Comment: Not Applicable. Superseded by Wireless Communication Service Facility Standards.**

5. Minimum Lot Width = No minimum

**Comment: COMPLIANT**

6. Maximum Building Height = 2.5 stories

**Comment: COMPLIANT (10 feet)**

7. Minimum Living Area

**Comment: Not Applicable**

### **Overlay Districts (Chapter 5) – Not Applicable**

### **Development Standards (Chapter 6)**

#### **Lot Standards (Article 6.10)**

1. All Lots shall abut on a Street or Private Street and shall have a minimum Lot Frontage as set forth by the Zoning District or Overlay District.

**Comment: COMPLIANT**

2. Residential Corner Lots shall be of sufficient width to permit appropriate Building Setback Lines and driveway setbacks from both Streets.

**Comment: Not Applicable**



Setback Standards (Article 6.16)

**Comment: COMPLIANT**

Vision Clearance Standards (Article 6.19)

**Comment: COMPLIANT**

Wireless Communication Service Facilities (Article 6.20)

8. The height of the antenna support structure shall not exceed two hundred (200) feet.

**Comment: COMPLIANT (120 feet)**

9. The antenna support structure shall be set back a minimum of forty (40) feet from the Lot Line, unless the adjoining Lot is zoned or used for a residential use. If the antenna support structure adjoins a Lot which is zoned or used for residential use, then the setback shall not be less than the height of the support structure.

**Comment:**

- North (Residential) = 65' required (per Variance of Standard 1505-VS-07) = **COMPLIANT** (65 feet)
- West (Residential) = 120' required = **COMPLIANT** (61 feet)
- East (Residential) = 120' required = **COMPLIANT** (61 feet)
- South (Residential) = 75' required (per Variance of Standard 1505-VS-07) = **COMPLIANT** (75 feet)

10. Except as required by the Federal Aviation Administration or Federal Communications Commission, the antenna support structure shall not be illuminated by any artificial means and shall not display strobe lights.

**Comment: COMPLIANT**

11. No Signs or advertising shall be placed upon an antenna support structure and associated equipment buildings or structures.

**Comment: COMPLIANT**



12. The support structure and any antenna located on the support structure must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment.

**Comment: COMPLIANT (stealth pole design)**

13. All utility buildings and structures accessory to the antenna support structure must be architecturally designed to blend into the surrounding area.

**Comment: COMPLIANT (The proposed prefabricated equipment shelter is similar to the adjacent utility structures to the west.**

14. A Landscape Plan for the Wireless Communication Service Facility shall be submitted with the application and shall be substantially similar to landscaping required for other uses in Business or Industrial Districts.

**Comment: COMPLIANT (Landscaping plan complies with condition of BZA approval regarding landscaping and screening.)**

15. All Wireless Communication Service Facilities shall be designed structurally, electrically, and in all other respects to accommodate the user's equipment and the equipment of at least two (2) additional service providers.

**Comment: COMPLIANT**

16. A qualified and licensed engineer must approve the design of the antenna support structure and certify that it is constructed to comply with the requirements set out in this Article.

**Comment: Will be reviewed at time of permitting.**

17. All applications shall include a notarized letter of intent committing the antenna support structure owner or lessee on behalf of themselves and their successors in interest that the antenna support structure shall be shared with additional users if the additional user(s) agrees to meet reasonable terms and conditions of shared use.

**Comment: Will be reviewed at time of permitting.**

18. No transmissions from a Wireless Communication Service Facility shall interfere with any existing public safety communications.

**Comment: Acknowledged.**



**BOARD OF ZONING APPEALS CONDITIONS OF APPROVAL**

1. That the installed tower be substantially similar to what is depicted in Exhibit 4 [of the BZA packet];

**Comment: COMPLIANT**

2. That any building constructed on the Property be completely screened from view on all sides by evergreen trees that are a minimum of eight (8) feet in height at installation and are spaced in a manner that creates a complete visual screen.

**Comment: COMPLIANT**

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**STAFF COMMENTS**

The Detailed Development Plan complies with the applicable zoning ordinances.

Staff recommends approving the petition with the following conditions:

- a) That the commitment to fly a flag be signed and executed prior to the issuance of an improvement location permit; and,
- b) All necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the issuance of an improvement location permit.

If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at 317.379.6467 or [ktodd@westfield.in.gov](mailto:ktodd@westfield.in.gov).